



4-26-05

AF/2816 \$  
JW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor : Jason P. Brenden	
Appln. No. : 10/619,802	
Filed : July 15, 2003	Group Art Unit: 2816
Title : VOICE COIL MOTOR POWER AMPLIFIER	Examiner: Wells, K. B.
Docket No. : V44.12-0155	

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SENT VIA EXPRESS MAIL  
Express Mail No.: EV 485711968 US

Applicant appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed January 25, 2005, finally rejecting claims 10, 11, 13, and 22 and objecting to claims 14-21.

**Fee for Filing Notice of Appeal**

Pursuant to 37 C.F.R. 1.17(b) the fee for filing the Notice of Appeal is:

☒ other than a small entity \$500.00

☐ small entity \$250.00

**Extension of Time**

These proceedings are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of time is required. However, if any extension of time for the Notice of Appeal is required, Applicant requests that this be considered a petition therefor. This conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

04/27/2005 WABDELK1 00000042 10619802 500.00 DP  
01 FC:1401

First Named Inventor: Jason P. Brenden

Application No.: 10/619,802

-2-

**Total Fee Due**

The total fee due is:

Notice of Appeal fee \$500.00

Extension fee (if any) \$0.00

**Total Fee Due \$500.00**

**Fee Payment**

☒ A check in the amount of \$500.00 is attached.


☐ Not required (paid in prior appeal)

The Commissioner is authorized to charge any additional fees associated with this paper or credit any overpayment to Deposit Account No. 11-0982. A duplicate copy of this communication is enclosed.

Respectfully submitted,

KINNEY & LANGE, P.A.

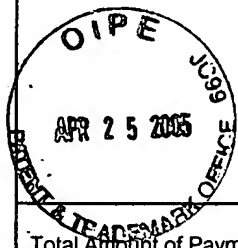
Date: 4/25/05

By: 

Dina M. Khaled, Reg. No. 52,761  
THE KINNEY & LANGE BUILDING  
312 South Third Street  
Minneapolis, MN 55415-1002  
Telephone: (612) 339-1863  
Fax: (612) 339-6580

DMK

# FEE TRANSMITTAL



Total Amount of Payment \$500.00

## Complete if Known

Application No. 10/619,802  
 Filing Date July 15, 2003  
 First Named Inventor Jason P. Brenden  
 Group Art Unit 2816  
 Examiner Name Wells, K.B.  
 Atty. Docket Number V44.12-0155

### METHOD OF PAYMENT (Check One)

1. ☒ The Commissioner is hereby authorized to charge any additional fee required under 37 C.F.R. 1.16 and 1.17 and credit any over payments to Deposit Account No. 11-0982. Deposit Account Name: Kinney & Lange, P.A. A duplicate copy of this communication is enclosed.

2. ☒ Check Enclosed

### FEE CALCULATION

#### 1. BASIC FILING FEE

Appn. Type	FILING FEE		SEARCH FEES		EXAM FEES	
	FEE/SMALL	FEE/SMALL	FEE/SMALL	FEE/SMALL	FEE/SMALL	FEE/SMALL
Utility	300 / 150	500 / 250	200 / 100	—	—	—
Design	200 / 100	100 / 50	130 / 65	—	—	—
Reissue	300 / 150	500 / 250	600 / 300	—	—	—
Provisional	200 / 100	-0- / -0-	-0- / -0-	—	—	—

Subtotal (1) \$0.00

#### 2. EXTRA CLAIM FEES

	Number Claims	Prior**	Extra	Fee from Fee Paid Below	
Total	*	=	X	=	*
Indep.	*	=	X	=	*
Multiple Dependent Claims				=	*

\*\*Insert 3 and 20, or number previously paid if greater; Reissue see below

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Description
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	360	2203	180	Multiple Dependent Claim
1204	200	2204	100	Reissue Independent Claims Over Original Patent
1205	50	2205	25	Reissue claims in excess of 20 and over original patent

Subtotal (2) \$0.00

### FEE CALCULATION (Continued)

#### 3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee paid
1051	130	2051	65	Surcharge - Late filing fee or oath	*
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	*
1053	130	1053	130	Non-English specification	*
1812	2,520	1812	2,520	For Filing a Request for Reexamination	*
1251	120	2251	60	Extension for reply within first month	*
1252	450	2252	225	Extension for reply within second month	*
1253	1,020	2253	510	Extension for reply within third month	*
1254	1,590	2254	795	Extension for reply within fourth month	*
1255	2,160	2255	1,080	Extension for reply within fifth month	*
1402	500	2402	250	Filing a brief in support of an appeal	*
1403	1,000	2403	500	Request for oral hearing	*
1814	130	2814	65	Terminal Disclaimer Fee	*
1452	500	2452	250	Petition to revive - unavoidable	*
1453	1,500	2453	750	Petition to revive - unintentional	*
1501	1,400	2501	700	Utility/Reissue issue fee	*
1502	800	2502	400	Design issue fee	*
1460	130	1460	130	Petitions to the Commissioner	*
1807	50	1807	50	Petitions related to provisional applications	*
1806	180	1806	180	Submission of Information Disclosure Statement	*
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	*
1801	790	2801	395	Request for Continued Examination (RCE)	*

Other fee (specify) Notice of Appeal Fee 500

Subtotal (3) \$500.00

Signature

*Dina M. Khaled*

Dina M. Khaled

Reg. No.

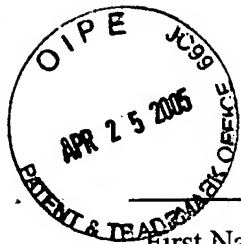
52,761

Date

4/25/05

Deposit Account No.

11-0982



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named

Inventor : Jason P. Brenden

Appln. No. : 10/619,802

Filed : July 15, 2003

Title : VOICE COIL MOTOR POWER AMPLIFIER

Docket No. : V44.12-0155

Group Art Unit: 2816

Examiner: Wells, K.B.

**EXPRESS MAIL COVER SHEET**

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SENT VIA EXPRESS MAIL**

Express Mail No.: EV 485711968.US

The following papers are being transmitted via **EXPRESS MAIL** to the U.S. Patent and Trademark Office on the date shown below:

1. Notice of Appeal From the Primary Examiner to the Board of Patent Appeals and Interferences (in duplicate);
2. Fee Transmittal (in duplicate);
3. Check in the amount of \$500.00; and
4. Return receipt postcard.

Respectfully submitted,

KINNEY & LANGE, P.A.

Date: 4/25/05

By Dina M. Khaled

Dina M. Khaled, Reg. No. 52,761  
THE KINNEY & LANGE BUILDING  
312 South Third Street  
Minneapolis, MN 55415-1002  
Telephone: (612) 339-1863  
Fax: (612) 339-6580

DMK:bmj